

### Subpart E—Environmental Assessment (EA)

#### § 651.20 Introduction.

An EA is made to determine the extent of environmental impacts of a project and decide whether or not those impacts are significant. It is not required for actions that are subject to categorical exclusion or exclusion from environmental review by law. (See 40 CFR 1508.9.) The EA is described in § 651.14(b).

#### § 651.21 Conditions requiring an EA.

An EA is required when the proposed action has the potential for—

- (a) Cumulative impact on environmental quality when combining effects of other actions or when the proposed action is of lengthy duration.
- (b) Release of harmful radiation or hazardous/toxic chemicals into the environment.
- (c) Violation of pollution abatement Standards.
- (d) Some harm to culturally or ecologically sensitive areas.

#### § 651.22 Actions normally requiring an EA.

The following actions normally require an EA:

- (a) Special field training exercise or test activity on Army land of a nature or magnitude not within the annual installation training cycle.
- (b) Military construction, including contracts for off-post construction.
- (c) An installation pesticide, fungicide, herbicide, insecticide, and rodenticide-use program.
- (d) Changes to established installation land use that generates impacts on the environment.
- (e) Proposed changes in doctrine or policy that may have a potential environmental impact.
- (40 CFR 1508.18 (b) (1)).
- (f) Repair or alteration projects affecting historically significant structures, archaeological sites, or places on, or meeting, the criteria for nomination to the National Register of Historic Places.
- (g) Acquisition or alteration of, or space for, a laboratory that will use hazardous chemicals, drugs, or biological or radioactive materials.

(h) Actions that could potentially cause soil erosion, affect prime or unique farmland, wetlands, floodplains, coastal zones, wilderness areas, aquifers or other water supplies, or wild and scenic rivers.

(i) New weapon systems development and acquisition, including the materiel acquisition, transition, and release processes.

(j) Development of installation master plan.

(k) Development of natural resource management plans (land, forest, fish, and wildlife).

(l) Proposals that may lead to the excessing of Army real property.

(m) Actions that take place in, or adversely affect, wildlife refuges.

(n) Proposals for energy conversion through forest harvest.

(o) Field activities on land not controlled by the military. This includes firing of weapons, missiles, or lasers over navigable waters of the United States, or extending 45 meters or more above ground level into the national airspace. It also includes joint air attack training that may require participating aircraft to exceed 250 knots at altitudes below 3000 feet above ground level.

(p) An action with local or regional effects on energy availability.

(q) An activity that affects any species on, or proposed for, the U.S. Fish and Wildlife Service list of Threatened and Endangered Plant and Animal Species. Also, activities affecting any species on an applicable State or territorial list of threatened or endangered species.

(r) Production of hazardous or toxic materials.

(s) Installation restoration projects undertaken in response to the CERCLA. (See § 651.8(a)(8) for a full discussion of the integration of NEPA and CERCLA/SARA.)

(t) Operations and Maintenance/Army National Guard projects that will impact environmental quality.

(u) Site specific deployment of life cycle systems meeting the threshold criteria for requiring an EA.

(v) Special field training exercises or test activities off Army or DOD property that extend into the national